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SPRINT NEXTEL CORPORATION

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA, *ex rel.*,
John C. Prather, *et al.*

Plaintiff/Relator

vs.

AT&T INC., CELLCO PARTNERSHIP d/b/a
VERIZON COMMUNICATIONS, QWEST
COMMUNICATIONS INTERNATIONAL,
INC., SPRINT NEXTEL CORP., and
TELEPHONE AND DATA SYSTEMS, INC.,

Defendants.

) Case No. 3:09-cv-2457 (BZ)

) **JOINT STIPULATION AND [PROPOSED]**
) **ORDER REGARDING HEARING DATE**
) **AND BRIEFING SCHEDULE FOR**
) **DEFENDANTS' RESPONSES TO**
) **RELATOR'S COMPLAINT**

1 Relator John C. Prather and Defendants AT&T Inc., Cellco Partnership d/b/a Verizon
2 Wireless, Sprint Nextel Corp., and Telephone and Data Systems, Inc. (collectively, "Defendants"),
3 by and through their respective counsel and subject to the approval of the Court, hereby stipulate as
4 follows:

5 **WHEREAS**, on June 3, 2009, Relator filed the initial complaint ("Complaint") in the above-
6 referenced matter;

7 **WHEREAS**, Defendants were served with Relator's Complaint between November 4, 2011
8 and November 8, 2011;

9 **WHEREAS**, Relator and Defendants have agreed to coordinate scheduling with respect to
10 Defendants' responses to Relator's Complaint;

11 **WHEREAS**, Relator and Defendants further agree that by entering into this stipulation,
12 Defendants do not waive any defenses or submit to the jurisdiction of the Court or to the judicial
13 assignment;

14 **NOW, THEREFORE**, subject to the approval of the Court, Relator and Defendants stipulate as
15 follows:

16 1. Defendants will each answer or respond by motion to the Complaint on or before
17 January 17, 2012;

18 2. Relator shall file any opposition(s) to Defendants' motion(s) on or before February
19 ²¹~~28~~, 2012;

20 3. Defendants shall file any reply brief(s) in support of their motion(s) on or before
21 ¹³March ²⁰20, 2012;

22 4. Defendants' motion(s) will be heard on April ¹¹~~18~~, 2012 at 10:00 a.m.

23 **IT IS SO STIPULATED**

24
25 Dated: November 23, 2011

BALESTRIERE FARIELLO

27 By: /s/ John G. Balestriere

John G. Balestriere

Attorneys for Plaintiff John C. Prather

1 Dated: November 23, 2011

SIDLEY AUSTIN LLP

2
3 By: /s/ Douglas A. Axel
4 Douglas A. Axel
Attorneys for Defendant AT&T Inc.

5 Dated: November 23, 2011

MUNGER, TOLLES & OLSON LLP

6
7 By: /s/ Jerome C. Roth
8 Jerome C. Roth
Attorneys for Defendant Cellco Partnership
9 d/b/a Verizon Wireless

10 Dated: November 23, 2011

PERKINS COIE LLP

11 By: /s/ Farschad Farzan
12 David F. Taylor
Farschad Farzan
13 Attorneys for Defendant Sprint Nextel
14 Corporation

15 Dated: November 23, 2011

SIDLEY AUSTIN LLP

16
17 By: /s/ Richard J. O'Brien
18 Richard J. O'Brien
Attorneys for Defendant Telephone and Data
19 Systems, Inc.

20 ***

21 ~~PURSUANT TO STIPULATION~~, IT IS SO ORDERED

22 Dated: November 29, 2011

23 
Hon. Bernard Zimmerman
Magistrate Judge, United States District Court

PROOF OF SERVICE

I, June Starr, declare:

I am a citizen of the United States and I am employed in the County of King, State of Washington. I am over the age of 18 and not a party to the within action. My business address is Perkins Coie LLP, 1201 Third Avenue, Suite 4800, Seattle, Washington 98101.

On November 23, 2011, I served the foregoing document described as: **JOINT STIPULATION AND [PROPOSED] ORDER REGARDING HEARING DATE AND BRIEFING SCHEDULE FOR DEFENDANTS' RESPONSES TO RELATOR'S COMPLAINT** on all interested parties in this action as follows:

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[x] (ON CM/ECF) I electronically filed and served the document on CM/ECF.

[x] (BY MAIL) I deposited such envelope in the mail at Seattle, Washington.

The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in the affidavit.

1 I declare that I am a registered user of the CM/ECF system.

2 I served the foregoing document by electronically filing the document via the
3 CM/ECF system maintained by the court.

4 I declare under penalty of perjury under the laws of the United States of America that
5 the above is true and correct.

6 Executed on November __, 2011, at Seattle, WA 98101.

7
8 s/ June Starr

June Starr